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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/693,869	10/28/2003	Kia Silverbrook	ZG008US	4110
24011	7590	06/24/2005	EXAMINER	
SILVERBROOK RESEARCH PTY LTD 393 DARLING STREET BALMAIN, 2041 AUSTRALIA			CRENSHAW, MARVIN P	
			ART UNIT	PAPER NUMBER
			2854	

DATE MAILED: 06/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary

Application No.

10/693,869

Applicant(s)

SILVERBROOK, KIA

Examiner

Marvin P. Crenshaw

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 8 is/are rejected.
- 7) ☒ Claim(s) 2 - 7 and 9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 10/171,627.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Double Patenting

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 1, 8 and 9 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 - 6 of U.S. Patent No. 6,899,420 in view of Titterington et al.

With respect to claim 1, U S 6,899,420 teaches all that is claimed as discussed in the above rejection except a support structure, a retaining mechanism and a feed mechanism.

Titterington teaches a support structure (See col. 6, lines 10 – 20, housing is the support), a retaining mechanism (23) that is mounted on the support structure to bear against the ink transfer roller and a feed mechanism (See Col. 7, lines 41 – 49, a positive feed device) mounted on the support structure for feeding the sheet of print medium between the ink transfer roller and the retaining mechanism..

Art Unit: 2854

It would have been obvious to modify U S Patent 6,899,420 to have a support structure, a retaining mechanism and a feed mechanism as taught by Titterington et al. to provide a compact and durable structure for inkjet printing.

With respect to claim 8, U S 6,899,420 teaches all that is claimed as discussed in the above rejection except a support structure and a feed mechanism.

Titterington et al. teaches an inkjet printer comprising a support structure (See col. 6, lines 10 – 20, housing is the support) and a feed mechanism (See Col. 7, lines 41 – 49, a positive feed device) for feeding the sheet of print medium between the ink transfer rollers.

It would have been obvious to modify U S Patent 6,899,420 to have a support structure and a feed mechanism as taught by Titterington et al. to provide a cost effective structure that is compact and durable.

With respect to claim 9, it would be obvious to one of ordinary skill in the art to provide U S Patent 6,899,420 to have an inkjet printer wherein the array of printhead chips has a sealing arrangement defined thereabout and the ink reservoir arrangement is operatively arranged to, during a printing operation to maintain a spaced relationship of the array of printhead chips and the transfer roller and during a non-printing operation, place the array of printhead chips against the transfer roller so that the printhead chips are sealed by the sealing arrangement and transfer roller since he teaches a solenoid for moving the printhead structure to and away from the transfer roller.

Allowable Subject Matter

Claims 2 – 7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 9 would be allowable if rewritten to overcome the double patent rejection(s), as set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

The following is an examiner's statement of reasons for allowance:

With respect to claim 2, the prior art does not teach or render obvious the total combination as claimed including an inkjet printer including a housing that defines a receiving formation, a chassis that is positioned in the housing and a media tray assembly that is received in the receiving formation and is displaceably engageable with the chassis to permit the media tray assembly to be received in and withdrawn from, the receiving formation, the media tray assembly and the housing defining a print medium feed path, the media tray assembly having a media tray in which a stack of print medium sheets can be stored, the feed mechanism being positioned on the media tray to feed the sheets from the tray, the support structure being defined by the media tray at a downstream end of the media tray.

With respect to claim 9, the prior art does not teach or render obvious the total combination as claimed including an inkjet printer wherein the array of printhead chips has a sealing arrangement defined thereabout and the ink reservoir arrangement is operatively arranged to, during a printing operation to maintain a spaced relationship of

Art Unit: 2854

the array of printhead chips and the transfer roller and during a non-printing operation, place the array of printhead chips against the transfer roller so that the printhead chips are sealed by the sealing arrangement and transfer roller.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Titterington et al. in view of Hilton.

Titterington et al. teaches an inkjet printer which comprises a support structure (See col. 6, lines 10 – 20, housing is the support), an ink reservoir (See col.6, lines 10 – 20) arrangement mounted on the support structure, an ink transfer roller (12) that is rotatably mounted on the support structure operatively with respect to the array of printhead chips so that the printhead chips can carry out a printing operation on the transfer roller, a retaining mechanism (23) that is mounted on the support structure to bear against the ink transfer roller, a the sheet of print medium (28) being receivable

Art Unit: 2854

between the retaining mechanism and the transfer roller so that ink printed on the transfer roller is transferred to the sheet of print medium and a feed mechanism (See Col. 7, lines 41 – 49, a positive feed device) mounted on the support structure for feeding the sheet of print medium between the ink transfer roller and the retaining mechanism.

However, Titterington does not teach a stationary pagewidth printhead mounted on the ink reservoir arrangement to receive ink.

Hilton teaches an array of printhead chips defining a stationary pagewidth printhead (210) mounted on the ink reservoir arrangement to receive ink from the ink reservoir arrangement.

It would have been obvious to modify Titterington et al. to have a stationary pagewidth printhead mounted on the ink reservoir arrangement to receive ink as taught by Hilton to provide an efficient printing means for printing at high speed and quality.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Titterington et al. as modified by Hilton and further in view of Eguchi.

Titterington et al. teaches an inkjet printer comprising a support structure (See col. 6, lines 10 – 20, housing is the support) and a feed mechanism (See Col. 7, lines 41 – 49, a positive feed device) for feeding the sheet of print medium between the ink transfer rollers.

However, Titterington does not teach a stationary pagewidth printhead mounted on the ink reservoir arrangement to receive ink.

Hilton teaches an array of printhead chips defining a stationary pagewidth printhead (210) mounted on the ink reservoir arrangement to receive ink from the ink reservoir arrangement.

It would have been obvious to modify Titterington et al. to have a stationary pagewidth printhead mounted on the ink reservoir arrangement to receive ink as taught by Hilton to provide an efficient printing means for printing at high speed and quality.

However, Titterington et al. as modified by Hilton does not teach a pair of opposed ink reservoir arrangements mounted on the support structure and a pair of ink transfer rollers rotatably mounted on the support structure, each ink transfer roller being positioned adjacent one respective array of printhead chips so that the printhead chips can carry out a printing operation on the transfer rollers, the transfer rollers being positioned to bear against each other, a sheet of print medium being receivable between the transfer rollers so that ink printed on the transfer rollers is transferred to both sides of the sheet of print medium.

Eguchi teaches a printing apparatus comprising a pair of ink reservoir (4), a pair of transfer rollers (11) being positioned adjacent to each other and a sheet of print medium (12) being receivable between the transfer rollers so that ink printed on the transfer rollers is transferred to both sides of the sheet of print medium.

It would have been obvious to further modify Titterington et al. by replacing the fixing roller and heater device with a transfer roller and a printhead as shown by Titterington for printing on the underside of the substrate since Eguchi teaches that it is

Art Unit: 2854

desirable to have printing means on both upper and lower sides of a substrate for duplex printing.

Response to Arguments

Applicant's arguments with respect to claims 1 and 8 have been considered but are moot in view of the new ground(s) of rejection. Specifically, Titterington et al. teaches all that is claimed in having an inkjet printer with a support structure. Hilton has been added to teach the claimed language of having a pagewidth printhead. Also, Eguchi teaches the claimed structure of printing on both sides of the medium.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marvin P. Crenshaw whose telephone number is (571) 272-2158. The examiner can normally be reached on Monday - Thursday 7:00 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

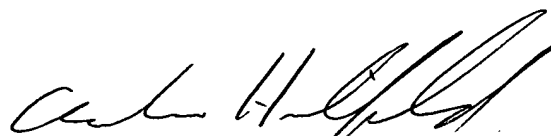
Art Unit: 2854

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



MPC

June 22, 2005



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